

Drunk Driving

Chapter 13

Definitions (13-3)

- Administrative license revocation
- Alcohol-related fatality/crash
- BAC (blood alcohol concentration)
- Binge drinker
- Designated driver
- Heavy drinker
- Impairment

Definitions (cont.)

- Intoxication
- Per Se (in and of itself)
- Presumptive (no conclusive evidence, and can result in “not guilty” if statute includes “presumptive” and not “per se”)
- Provisional license
- Sobriety checkpoint

Activism and Public Policy (13-4)

- MADD and other grassroots groups increased in number and size
- State and federal legislative countermeasures increased
- Public policy became focal point to reduce DUI deaths and injuries

Historical Perspective (13-5)

- DOT and NHTSA identified seriousness of alcohol-related crashes in 1960s
- 1972: First states pass .10 illegal per se
- 1979: All states had .10 illegal per se
- 1980: MADD founded

Senseless Act (13-7)

- Drunk or drugged driving deaths are someone's fault
- Offender chose in choices to use alcohol or other drugs and drive
- Crashes are *not* “accidents”
- Use of “killed” versus “died”

Impact of Drunk Driving on the Victim (13-7)

- PTSD
- Death or injury is unexpected (a “bubble of denial” is okay and may last awhile)
- Vehicular death/injury is violent
- Drunk driving is a crime
- Survivors’ faith and philosophy of life may be challenged (strong/stronger – weak/weaker – Mercer 1995)

Suggestions for Victim Services (13-10)

- Ask “What is the top issue for you today?” or “What part of your experience is hurting the most today?” to examine most difficult part of traumatic experience
- Victims’ understanding of “difficult piece” will vary over time as trauma is processed and mastered

Suggestions for Victim Services (cont.)

- Provide information and allow victims to talk about important issues
- Support family members who wish to view the body of their loved one.
- Assist survivors who wish to view photographs or go over details of the autopsy report

Suggestions for Victim Services (cont.)

- Understand that catastrophic injury resulting in permanent disability may have a more lasting impact on families than death:
 - Physical and emotional suffering
 - Socioeconomic impact
 - Attention to caregivers

Suggestions for Victim Services (cont.)

- Listen to the specific language of survivors as they talk about the crime and mirror it (but suggest it is *not* an “accident”)
- Do not push survivors to “find meaning” before they are ready
- Encourage memorial experiences
- Opportunities for victim impact panels

Suggestions for Victim Services (cont.)

- Acknowledge that the faith community can sometimes be a source of revictimization
- Remind victims that it make take time to reestablish a relationship with God, to decide about forgiveness or worship
- Develop a clergy referral list and provide clergy training

Public Policy: Prevention (13-12)

- Administrative license revocation
- 21 drinking age laws
- .08 BAC limits for adults
- Sobriety checkpoints
- Open container laws
- Plate/vehicle
confiscation/impoundment/forfeiture

Public Policy: Prevention (cont.)

- Mandatory confinement for repeat offenders
- Happy hour restrictions
- Excise taxes
- Mandatory testing

Public Policy Goals: Victims' Rights (13-14)

- Constitutional amendment
- Bankruptcy protection
- Compensation
- Dram shop/host liability
- Endangerment of children
- Victim impact panels
- Drunk driving death and injury a *violent*
crime